WHEN RECORDED MAIL TO: Saxton Incorporated 5440 W. Sahara Ave., 3<sup>rd</sup> Floor Las Vegas, Nevada 89146

DEPUTY - Maughan 412 00

**DEED OF TRUST** 

L 2001-001-29 P 4: 30

This Deed of Trust is made this 18th day of October, 2001, by West Haven Apartments Limited Partnership, a Utah limited partnership ("Trustor"), to Meridian Title Company ("Trustee"), for the benefit of Saxton Incorporated, a Nevada corporation ("Beneficiary").

Whereas Trustor has executed and delivered to Beneficiary a promissory note (the "Promissory Note") in the principal amount of \$3,906.32, with interest thereon;

Therefore, for the purpose of securing payment of said promissory note in accordance with the terms thereof;

Trustor hereby irrevocably grants and transfers to Trustee, in trust with power of sale for the benefit of Beneficiary, all that real property located in Weber County, Utah, described on **Exhibit A** attached hereto and incorporated herein by this reference, together with all appurtenances thereto.

Trustor also hereby assigns to Beneficiary all rents, issues and profits of said real property, reserving the right to collect and use the same except during some default hereunder and during continuance of such default, authorizing Beneficiary to collect and enforce the same by any lawful means in the name of any party hereto.

Trustor requests that a copy of any notice of default and any notice of sale hereunder be mailed to the Trustor at 5440 W. Sahara Ave., 3<sup>rd</sup> Floor, Las Vegas, Nevada 89146.

In witness whereof, Trustor has executed this instrument as of the date first set forth above.

West haven Apartments Limited Partnership, a Utah limited partnership

THIS DOCUMENT IS BEING RECORDED SCLELY AS A COURTESY AND MERIDIAN TITLE COMPANY ASSUMES NO LIABILITY FOR THE ACCURACY OR CONTENTS OF SAID DOCUMENT.

By: Saxton Nevada, Inc., a Nevada corporation

Its: General Partner

James C. Saxton, President

STATE OF NEVADA )

COUNTY OF CLARK )

800x 2178 PAGE 1619

This instrument was acknowledged before me on this 18<sup>th</sup> day of October, 2001, by James C. Saxton, President of Saxton Nevada, Inc., a Nevada corporation, the General Partner of West Haven Apartments Limited Partnership.

AMY LANCE
Notary Public, State of Nevada
Appointment No. 00645411
My Appt. Expires Nov. 17, 2003

Notary Public

My commission expires: 111103

\*W1804459\*

## Exhibit "A"

## **Description of Property**

Beginning at the intersection of the South line of Midland Drive and the Westerly right of way line of the Denver and Rio Grande Western Railroad, said point being North 89°07'24" West 113.53 feet along the Section line and North 34°19'57" East 48.27 feet from the Northeast corner of Section 2, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey; thence Southwesterly along Midland Drive to the South line of the North Half of the Northeast Quarter of Section 2, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey; thence East along the South line of the North Half of the Northeast Quarter of Section 2, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, to the Westerly right of way line of the Denver and Rio Grande Western Railroad; thence Northeasterly along the Westerly right of way line of the Denver and Rio Grande Western Railroad to the point of beginning.